

491 U.S. PTO

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
REQUEST FOR FILING APPLICATION UNDER RULE 60

10/2  
#2

Pursuant to 37 CFR 1.60, please file a  
Continuation/☒ divisional  
of the pending prior PATENT APPLICATION of:  
Inventor: MAERTENS, et al.  
Serial No. 08/612,973

Atty Dkt.: 1487-17  
C# M#

Date: September 12, 1997  
Group: 1815  
Examiner: Woodward, M.

Filed: March 11, 1996

For: PURIFIED HEPATITIS C VIRUS ENVELOPE PROTEINS FOR DIAGNOSTIC AND THERAPEUTIC USE

Hon. Commissioner of Patents and Trademarks

Washington, DC 20231

Sir:

This request for filing under Rule 60 is made by the following named inventor(s) (using the above-identified title):

Inventor(s): MAERTENS, et al.

☒ Attached is a true copy of the prior application as originally filed including the specification, claims, Oath/Declaration and drawings (if any) and abstract (if any). No amendments (if any) referenced in the Oath or Declaration filed to complete the prior application introduced new matter.

☒ Priority is hereby claimed under 35 USC 119 based on the following foreign applications:

Application Number	Country	Day/Month/Year Filed
PCT/EP95/03031	Pct	31/07/1995
94870132.1	EP	29/07/1994

☐ certified copy(ies) of foreign application(s) attached or

☐ already filed on \_\_\_\_\_ in prior appln no. \_\_\_\_\_

☒ already filed in 08/612,973

filed \_\_\_\_\_  
file d March 11, 1996

☐ Please amend the specification by inserting before the first line: -- This application claims the benefit of U.S.

Provisional Application No. \_\_\_\_\_, filed \_\_\_\_\_

☒ The prior application is assigned to Innogenetics NV, Ghent, Belgium.

☒ Power of Attorney has been granted to Thomas E. Byrne, et al, Reg. No. 32,205 of Nixon & Vanderhye P.C., 1100 North Glebe Road, 8<sup>th</sup> Floor, Arlington, Virginia 22201.

☒ Address all future communications to: Nixon & Vanderhye P.C., 1100 North Glebe Road, 8<sup>th</sup> Floor, Arlington, Virginia 22201.

☒ Please amend the specification by inserting before the first line -- This is a divisional of application Serial No.

08/612,973, filed March 11, 1996.--

☒ "Small entity" statement of record. ☒ "Small entity" statement attached.

☐ Petition filed in prior application to extend its life to insure copendency.

☒ The Examiner's attention is directed to the prior art cited in the parent application by applicant and/or Examiner for the reasons stated therein. The Examiner is requested to acknowledge consideration of same by returning an initialed copy of the attached PTO 1449 pursuant to MPEP §609.

☒ Please enter the attached and/or below preliminary amendment prior to calculation of filing fee:

**FILING FEE IS BASED ON CLAIMS AS FILED LESS ANY HEREWITH CANCELED**

Basic Filing Fee		\$	770.00
Total effective claims	10 - 20 (at least 20) = 0	x \$	22.00
Independent claims	4 - 3 (at least 3) = 1	x \$	80.00
If any proper multiple dependent claims now added for first time, add \$260.00 (ignore improper)		\$	0.00
		<b>SUBTOTAL</b>	\$ 850.00
If "small entity," then enter half (1/2) of subtotal and subtract		-\$	425.00
		<b>SECOND SUBTOTAL</b>	\$ 425.00
Assignment Recording Fee (\$40.00)		\$	0.00
		<b>TOTAL FEE ENCLOSED</b>	\$ 425.00

The Commissioner is hereby authorized to charge any deficiency in the fee(s) filed, or asserted to be filed, or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our **Account No. 14-1140**. A duplicate copy of this sheet is attached.

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BJS:mng

**NIXON & VANDERHYE P.C.**  
By Atty: B.J. Sadoff, Reg. No. 36,663

Signature: \_\_\_\_\_

*B. J. Sadoff*